

35. (Previously Amended) The orthopedic fastening system according to claim 34, and including a collet that is threaded internally, wherein the shaft is threaded.

Claims 36-39 (Previously Cancelled)

40. (Previously Amended) The orthopedic fastening system according to claim 34, wherein the wing is pivotally engaged with the shaft by way of a hinge.

Claims 41-42 (Previously Cancelled)

43. (Previously Amended) The orthopedic fastening system according to claim 34, wherein the wing is pivotally engaged with the shaft by way of a pin hinge.

Claims 44-46 (Previously Cancelled)

47. (Newly Amended) The orthopedic fastening system according to claim 34, and including a split collet that is slidable longitudinally along the shaft when the split collet is expanded and is not slidable longitudinally along the shaft when the split collet is collapsed about the shaft.

Claims 48-76 (Previously canceled)

77. (Previously Added) The orthopedic fastening system according to claim 34, and including a split threaded collet, the threads of the collet having at least one long slope surface and at least one short slope surface, wherein the shaft is reciprocally threaded to the threaded collet.

Claims 78-81 (Cancelled)

82. (Newly Amended) A bone fastener, adapted to be sterilized for in vivo use, comprising a shaft and a wing that is pivotally attached to the shaft, the wing having:

a first insertion position in which a contact surface of the wing, is substantially parallel to the shaft,

a second deployed position in which the contact surface of the wing is substantially

oblique to the shaft, wherein in the wing has:

- a first extent in a first direction;
- a second extent in a second orthogonal direction; and
- a third extend in a third orthogonal direction, wherein

the contact surface lies in a plane defined by the first and second directions of said directions and wherein, the third extent is smaller than either the first or second extent.

83. (Newly Amended) A bone fastener adapted to be sterilized for in vivo use, comprising:

- a shaft; and

- a wing body pivotably rotatable at an end of the shaft about an axis, and having a contact surface for contacting the bone, wherein

- the axis is external to the contact surface.

84. (Newly Amended) The bone fastener according to claim 82, and including a collet that is threaded internally, wherein the shaft is threaded.

85. (Newly Amended) The bone fastener according to claim 82, wherein the wing is pivotally engaged with the shaft by way of a hinge.

86. (Newly Amended) The bone fastener according to claim 82, wherein the wing is pivotally engaged with the shaft by way of a pin hinge.

87. (Newly Amended) The bone fastener according to claim 82, and including a split collet that that is slidable longitudinally along the shaft when the split collet is expanded and is not slidable longitudinally along the shaft when the split collet is collapsed about the shaft.

88. (Newly Amended) The bone fastener according to claim 82, and including a split threaded collet, the threads of the collet having at least one long slope surface and at least one short slope surface, wherein the shaft is reciprocally threaded to the threaded collet.

Claims 89-92 (Cancelled)

93. (New) The orthopedic fastening system according to claim 34, wherein the third extent includes at least one surface having at least one edge, the edge being adjoined to the contact surface, such that when the contact is deployed against a facing, only the at least one edge contact the facing.

94. (New) The bone fastener according to claim 83, and including a collet that is threaded internally, wherein the shaft is threaded.

95. (New) The bone fastener according to claim 83, wherein the wing is pivotally engaged with the shaft by way of a hinge.

96. (New) The bone fastener according to claim 83, wherein the wing is pivotally engaged with the shaft by way of a pin hinge.

97. (New) The bone fastener according to claim 83, and including a split collet that that is slidable longitudinally along the shaft when the split collet is expanded and is not slidable longitudinally along the shaft when the split collet is collapsed about the shaft.

98. (New) The bone fastener according to claim 83, and including a split threaded collet, the threads of the collet having at least one long slope surface and at least one short slope surface, wherein the shaft is reciprocally threaded to the threaded collet.

REMARKS

This letter is responsive to an Office Action of 19 February 2004 in which the Examiner rejects the Applicant's response (13 January 2004, paper # 21) to an Office Action mailed 24 April 2003. In that Office Action, the Examiner finds that:

Applicant "deliberately submitted a proposed amendment of the claims that is of a completely different nature than paper #20 amendment".

This letter is also responsive to the Office Action mailed 24 April, 2003. In that Office Action, the Examiner finds that:

Claims 78-81 and 89-92 are rejected for being directed to non-elected species;